

REMARKS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-17 are pending in this application.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current Amendment. The attached is captioned **“Version With Markings to Show Changes Made.”**

Allowable Subject Matter:

Applicant notes with appreciation the Examiner’s indication that claim 5 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejection Under 35 U.S.C. §102:

Claims 1-4 and 6-14 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Herrero Garcia et al (U.S. ‘735, hereinafter “Garcia”). Applicant respectfully traverses this rejection.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. Applicant respectfully submits that Garcia fails to disclose each element of the claimed invention. For example, Applicant submits that Garcia fails to disclose or even suggest “communicating, in the absence of an in-progress call, to the subscriber terminal data identifying the allocation of short dialling codes pre-programmed in step (a),” as required by independent claim 1 and its dependents. Similarly, Garcia

fails to disclose or even suggest “communicating, in the absence of an in-progress call, to the subscriber terminal data identifying the allocation of short dialling codes pre-programmed by the said means responsive to instructions from a second party,” as required by independent claim 14 and claim 15 which depends therefrom.

Garcia discloses a voicemail system (VMS) programmed to automatically answer incoming telephone calls from incoming sources and to offer callers different options. A caller may then select an option by inputting a predetermined digit or sequence of digits. These options are presented to the caller during an in-progress call. For example, Figs. 6A-6B of Garcia illustrates a caller dialling a telephone number corresponding to an application called “multiple services” in step 802. In step 804, digital telephone switch (PBX) 200 answers the call and directs the call to one of the ports at VMS 300. VMS 300 provides a voice prompt to the incoming call offering the caller with a number of options (step 806).

Garcia thus fails to disclose communicating data identifying the allocation of short dialling codes in the absence of an in-progress call, as required by claims 1 and 14 and their respective dependents. This claimed feature is supported by, for example, Figs. 2 and 4 and page 5, lines 28-34 of the specification.

Accordingly, Applicant respectfully submits that claims 1-4 and 6-14 are not anticipated by Garcia and respectfully requests that the rejection of these claims under 35 U.S.C. §102 be withdrawn.

New Claims:


New claims 16-17 have been added to provide additional protection for the invention. New claims 16 and 17 require communicating to the subscriber terminal a dial tone, the dial tone offering data identifying the allocation of short dialling codes. This feature is supported by, for example, page 5, lines 28-34 of the specification. In particular, page 5, lines 31-32 states "In this case the dial tone offers, e.g., the option of pressing **18 for a Taxi." Applicant submits that claims 16-17 are allowable.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Raymond Y. Mah
Reg. No. 41,426

RYM/sl
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703)816-4044
Facsimile: (703)816-4100

VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE SPECIFICATION

Paragraph beginning at page 1, line 22 has been amended as follows:

Although, as noted above, the facility to program[me] short dialling codes has been widely available, it has not been widely used. The present invention significantly increases the ease of use of the short code facility by allowing the allocation of short codes to be pre-programmed by another party, such as the network operator or a service provider connected to the network. This is done moreover without requiring any modification to the standard call control processes. Common call control processes, using the full numbering range of the network, can therefore be used both by subscribers using this service feature, and by other subscribers.

IN THE CLAIMS:

1. (Amended) A method of operating a telecommunications network including:
 - (a) in response to instructions from a second party remote from a subscriber terminal, pre-programming the network to respond to one or more short dialling codes from the subscriber terminal,
 - (b) communicating, in the absence of an in-progress call, to the subscriber terminal data identifying the allocation of short dialling codes pre-programmed in step (a); and

(c) subsequently initiating a call from the said subscriber terminal by dialling one of the said short codes.

12. (Amended) A method according to claim 1 wherein communicating to the subscriber terminal data in step (b) comprises [of operating a telecommunications network, including] communicating to a user of a subscriber terminal an off-hook signal which identifies [an] the allocation of the short dialling codes [for the subscriber terminal].

14. (Amended) A telecommunications network including:

(a) means responsive to instructions from a second party remote from a subscriber terminal for pre-programming the network to respond to one or more short dialling codes from the subscriber terminal,

(b) means for communicating, in the absence of an in-progress call, to the subscriber terminal data identifying the allocation of short dialling codes pre-programmed by the said means responsive to instructions from a second party; and

(c) means responsive to a short code subsequently selected by the subscriber for connecting the said subscriber to a destination number determined by the said allocation of short dialling codes.



PROPOSED DRAWING AMENDMENTS
FOR SN 09/623,317

Figure 1

